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NASA Procedural Requirements

COMPLIANCE IS MANDATORY**NPR 3771.1A**
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Request Notification of Change

 (NASA Only)**Subject: NASA's Administrative Grievance System (AGS)****Responsible Office: Office of Human Capital Management**[| TOC](#) | [Preface](#) | [Chapter1](#) | [Chapter2](#) | [Chapter3](#) | [Chapter4](#) | [AppendixA](#) | [AppendixB](#) | [ALL](#) |

Chapter 1. General

1.1 Overview

1.1.1 This NPR implements the Agency AGS. Employees covered by this directive are entitled to pursue resolution of concerns or disputes related to their employment through the AGS. The intent of the AGS is to provide employees a platform to present grievances to management and have them considered expeditiously and fairly.

1.1.2 A grievance is a request for personal relief submitted by an employee (or group of employees) on a matter of concern or dissatisfaction relating to the employment of the individual(s).

1.1.3 Parties are encouraged to use alternative dispute resolution (ADR) techniques to resolve disputes. ADR techniques include a broad range of approaches for dealing with conflict and seeking solutions satisfactory to all parties. These techniques include, but are not limited to, problem solving, mediation, facilitation, settlement discussions, and ombudsmen.

1.2 Coverage

1.2.1 Except as provided in paragraph 1.3, the AGS applies to any matter of employment concern or dissatisfaction for which personal relief is possible and which is within the authority and control of Agency management officials, including any matter in which an employee alleges that he/she was subject to coercion, reprisal, or retaliation for using the AGS.

1.3 Matters not Covered

1.3.1 The following matters are not covered by the AGS:

- a. The content of established Agency and Center policies and regulations, such as NASA Procedural Requirements (NPRs) and NASA Policy Directives (NPDs).
- b. Matters covered by a negotiated grievance procedure.
- c. Matters subject to formal review and adjudication by an external agency including the Merit Systems Protection Board, the Office of Personnel Management, the Federal Labor Relations Authority, the Department of Labor, the Office of Special Counsel, or the Equal Employment Opportunity Commission (EEOC). Examples include removals, suspensions for more than 14 days, classification of positions, allegations of discrimination, matters about which a formal Equal Employment Opportunity complaint has been filed, workers' compensation claims, and allegations of unfair labor practices.
- d. Matters subject to a formal, established Agency process for redress that includes multiple levels of consideration and decision, such as a denial of a security clearance.
- e. The temporary suspension of an employee's access to NASA premises and systems for safety and/or security reasons.

- f. Nonselection for a position from a group of ranked and certified candidates, failure to receive a noncompetitive promotion or reassignment, denial of a request to participate in phased retirement, or nonselection for a formal Agency or Center training and development program.
- g. A preliminary warning or notice of an action that, if effected, would be covered or excluded from coverage under paragraph 1.3.1, such as a Performance Improvement Plan (PIP) or a notice of proposed disciplinary action.
- h. The performance evaluation of a Senior Executive Service (SES) appointee or a Senior Scientific and Professional (ST) or Senior Level (SL) employee; reassignment of an SES appointee following the receipt of an unsatisfactory rating; the return of an SES career appointee to the General Schedule or other pay system during the one-year probation period or for less than fully successful performance; failure to be recertified; the conditional recertification of an SES career appointee (reduction in pay accompanying such an action is covered); the termination of an SES career appointee during probation.
- i. A decision to grant or not grant an SES, SL, or ST pay rate increase.
- j. A separation or position change resulting from the expiration of a temporary, term, or other time-limited appointment or promotion or an SES limited emergency or term appointment either (1) on the date specified, or (2) prior to the expiration date, provided that the employee was informed in advance of the temporary nature of the appointment or promotion, and was returned to the position from which temporarily promoted or to a different position of equivalent grade and pay (when required). This includes expiration of an appointment that does not have a specific end date, but has conditions establishing its time limitations, such as a Pathways intern who completes his/her degree requirements but is not converted to a permanent appointment within 120 days.
- k. An action terminating an employee serving a probationary or trial period or who otherwise does not meet the definition of "employee" in 5 U.S.C § 7511(a) (1).
- l. The return of an employee to a nonsupervisory or nonmanagerial position for failure to successfully complete the supervisory or managerial probationary period.
- m. The substance of critical elements and performance standards/indicators in an employee's performance plan; or performance expectations otherwise communicated to an employee.
- n. Nonadoption of a suggestion, failure to receive, or amount of a monetary or nonmonetary award including a quality step increase.
- o. The payment of, the failure to pay, or the amount of: recruitment, relocation, retention, or redesignation incentives; a separation incentive; a supervisory differential; the amount of critical position pay; or failure to request or grant an exception to dual-compensation restrictions.
- p. The failure to offer or approve voluntary early retirement.
- q. The interpretation, application, or effect of collective bargaining agreement provisions.
- r. Requested relief that is not personal to the grievant or is outside NASA management's authority or control.

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